

UNITED STATES BANKRUPTCY COURT
District of New Jersey

IN RE: **Carson C Puriefoy, Jr.**
Vanessa C Puriefoy

Debtor(s)

Case No.: 16-23091-JNP

Judge: JNP

Chapter: 13

CHAPTER 13 PLAN AND MOTIONS

☒ Original

☐ Motions Included

☒ Modified/Notice Required

☐ Modified/No Notice Required

☒ Discharge Sought

☐ No Discharge Sought

Date: May 6, 2017

THE DEBTOR HAS FILED FOR RELIEF UNDER
 CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS WILL BE AFFECTED.

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
 IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
 THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The Debtor shall pay 140.00 Monthly to the Chapter 13 Trustee, starting on June 1, 2017 for approximately 50 months, in addition to amounts previously paid, for a total plan length of 60 months.

b. The Debtor shall make plan payments to the Trustee from the following sources:

☒ Future Earnings

☒ Other sources of funding (describe source, amount and date when funds are available):

Turnover of funds currently held in escrow from sale of debtor's real property located at 309 Colonial Drive, Wenonah, NJ. Held in escrow pending resolution of Adversary Proceeding # 17-01248 (which seeks to avoid un-perfected liens on these proceeds). Estimated availability: September 2017. \$9,209.83 is held in escrow at present.

c. Use of real property to satisfy plan obligations:

☒ Sale of real property
Description: 309 Colonial Drive, Wenonah, NJ 08090
Proposed date for completion: (SOLD ON 3-31-17)

☐ Refinance of real property
Description:
Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property
Description:
Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to ____ (creditor).

b. Adequate protection payments will be made in the amount of \$____ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to ____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

| Creditor | Type of Priority | Amount to be Paid |
|---|---|---------------------|
| Daniel L. Reinganum, Esq. | Attorney Fees | \$1,146 |
| Daniel L. Reinganum, Esq. | Supplemental Fees - \$4,000 (TO BE PAID OUTSIDE PLAN - hearing on Fee Application scheduled 5/18/17) | \$0.00 through plan |
| Internal Revenue Service | Priority Taxes | \$12,977.80 |
| State of New Jersey, Division of Taxation | Priority Taxes | \$1,634.53 |
| | | |
| | | |

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

| Creditor | Collateral or Type of Debt | Arrearage | Interest Rate on Arrearage | Amount to be Paid to Creditor (In Plan) | Regular Monthly Payment (Outside Plan) |
|----------|----------------------------|-----------|----------------------------|---|--|
| -NONE- | | | | | |

b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

| Creditor | Collateral | Scheduled Debt | Total Collateral Value | Superior Liens | Value of Creditor Interest in Collateral | Annual Interest Rate | Total Amount to Be Paid |
|----------|------------|----------------|------------------------|----------------|--|----------------------|-------------------------|
| -NONE- | | | | | | | |

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

| Creditor | Collateral to be Surrendered | Value of Surrendered Collateral | Remaining Unsecured Debt |
|----------|------------------------------|---------------------------------|--------------------------|
| -NONE- | | | |

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

Creditor

Midland Mtg/Midfirst (was paid in full at closing)

State of New Jersey Division of Taxation - was paid in full at closing)

e. Secured Claims to be paid in full through the Plan

| Creditor | Collateral | Total Amount to be Paid through the Plan |
|----------|------------|--|
| -NONE- | | |

Part 5: Unsecured Claims

a. Not separately classified Allowed non-priority unsecured claims shall be paid:

____ Not less than \$ ____ to be distributed *pro rata*

____ Not less than ____ percent

 x *Pro Rata* distribution from any remaining funds

b. Separately Classified Unsecured Claims shall be treated as follows:

| Creditor | Basis for Separate Classification | Treatment | Amount to be Paid |
|----------|-----------------------------------|-----------|-------------------|
| -NONE- | | | |

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

| Creditor | Nature of Contract or Lease | Treatment by Debtor |
|----------|-----------------------------|---------------------|
| -NONE- | | |

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

| Creditor | Nature of Collateral | Type of Lien | Amount of Lien | Value of Collateral | Amount of Claimed Exemption | Sum of All Other Liens Against the Property | Amount of Lien to be Avoided |
|----------|----------------------|--------------|----------------|---------------------|-----------------------------|---|------------------------------|
| -NONE- | | | | | | | |

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

| Creditor | Collateral | Amount of Lien to be Reclassified |
|----------|------------|-----------------------------------|
| -NONE- | | |

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

| Creditor | Collateral | Amount to be Deemed Secured | Amount to be Reclassified as Unsecured |
|----------|------------|-----------------------------|--|
| -NONE- | | | |

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-petition claims

The Trustee ☒ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9 : Modification

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: July 6, 2016.

| Explain below why the Plan is being modified. | Explain below how the Plan is being modified |
|--|---|
| <p>IRS and State of New Jersey Proofs of Claims came in higher than previously estimated.</p> <p>Debtors house was sold and some proceeds are held in escrow pending adversary action.</p> | <p>Provides for payment in full to IRS and State of New Jersey.</p> <p>Plan duration increased to 60 months from 36 months.</p> |

Are Schedules I and J being filed simultaneously with this modified Plan? ☐ Yes ☒ No

Part 10: Sign Here

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date May 6, 2017 /s/ Daniel L. Reinganum, Esq.
Daniel L. Reinganum, Esq.
Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: May 6, 2017 /s/ Carson C Puriefoy, Jr.
Carson C Puriefoy, Jr.
Debtor

Date: May 6, 2017 /s/ Vanessa C Puriefoy
Vanessa C Puriefoy
Joint Debtor

Certificate of Notice Page 6 of 7
 United States Bankruptcy Court
 District of New Jersey

In re:
 Carson C Puriefoy, Jr.
 Vanessa C Puriefoy
 Debtors

Case No. 16-23091-JNP
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 30

Date Rcvd: May 30, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 01, 2017.

db/jdb
 r
 516678071 +Carson C Puriefoy, Jr., Vanessa C Puriefoy, PO Box 301, Wenonah, NJ 08090-0301
 +Megan Lopez-Cepero, RE/Max Connection Realtors, 8 Kings Highway W., Suite B,
 Haddonfield, NJ 08033-2116
 516277027 American Express Centurion Bank, c/o Becket and Lee LLP, PO Box 3001,
 Malvern PA 19355-0701
 516277027 +American Express Travel Related Services, c/o Corporation Trust Co., Reg. Agent,
 820 Bear Tavern Road, Trenton, NJ 08628-1021
 516277028 +Bureau of Collections & Taxpayer Service, PO Box 281041, Harrisburg, PA 17128-1041
 516277030 +CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034
 (address filed with court: Citibank SD, NA, Centralized Bankruptcy, PO Box 20363,
 Kansas City, MO 64195-0363)
 516277029 +Capital One Bank USA NA, Bankruptcy Dept., PO Box 30285, Salt Lake City, UT 84130-0285
 516277031 +Emergency Care Services of NJ, PA, PO Box 740021, Cincinnati, OH 45274-0021
 516277032 +Equifax Information Services, PO Box 740241, Atlanta, GA 30374-0241
 516277033 +Experian, PO Box 4500, Allen, TX 75013-1311
 516277035 +Inspira Health Network, 509 N. Broad St., Woodbury, NJ 08096-1617
 516277038 +Jeff Kripitz Agency, 1811 Shore Road, Northfield, NJ 08225-2219
 516277040 +KML Law Group, PC, 216 Haddon Ave, Suite 406, Westmont, NJ 08108-2812
 516375186 +MidFirst Bank, 999 NorthWest Grand Boulevard, Oklahoma City, OK 73118-6051
 516277041 +Midland Mtg/midfirst, 999 Nw Grand Blvd, Oklahoma City, OK 73118-6051
 516277042 +NYS Department of Taxation & Finance, Building 9 W A Harriman Campus, Albany, NY 12227-0001
 516277043 +NYS TAX DEPARTMENT, RPC - PIT, 90 COHOES AVE, Troy, NY 12183-1515
 516294284 New York Dept. of Taxation and Finance, Bankruptcy Section, PO Box 5300,
 Albany, NY 12205-0300
 516433722 Pennsylvania Department of Revenue, Bankruptcy Division, PO Box 280946,
 Harrisburg, PA 17128-0946
 516277044 +Remex Inc, 307 Wall St, Princeton, NJ 08540-1515
 516277045 +State of New Jersey Division of Taxation, Bankruptcy Section, PO Box 245,
 Trenton, NJ 08695-0245
 516277046 +Township of Deptford, PO Box 1016, Voorhees, NJ 08043-7016
 516277047 Township of Deptford, Attn: Tax Office, 400 Crown Point West, Deptford, NJ 08086
 516277048 TransUnion, PO Box 2000, Chester, PA 19022-2000
 516277049 +Transworld Systems Inc, PO Box 15095, Wilmington, DE 19850-5095

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov May 30 2017 22:52:19 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov May 30 2017 22:52:15 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 516277034 +E-mail/Text: bknotices@fenton-mcgarvey.com May 30 2017 22:51:25
 Fenton & McGarvey Law Firm, P.S.C., 2401 Gault Parkway, Louisville, KY 40223-4175
 516277037 +E-mail/Text: cio.bncmail@irs.gov May 30 2017 22:51:43 Internal Revenue Service,
 Centralized Insolvency Operation, PO Box 7346, Philadelphia, PA 19101-7346
 516277039 E-mail/Text: JCAP_BNC_Notices@jcap.com May 30 2017 22:52:34 Jefferson Capital Systems, LLC,
 16 McLeland Rd, Saint Cloud, MN 56303

TOTAL: 5

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516277036* +Inspira Health Network, 509 N. Broad St, Woodbury, NJ 08096-1617

TOTALS: 0, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 01, 2017

Signature: /s/Joseph Speetjens

District/off: 0312-1

User: admin
Form ID: pdf901

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Total Noticed: 30

Date Rcvd: May 30, 2017

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 30, 2017 at the address(es) listed below:

Daniel L Reinganum on behalf of Plaintiff Carson C Puriefoy, Jr. dreinganum@MPADLaw.com,
kgresh@mpadlaw.com;djamison@mpadlaw.com;lwood@mpadlaw.com;cgetz@mpadlaw.com
Daniel L Reinganum on behalf of Joint Debtor Vanessa C Puriefoy dreinganum@MPADLaw.com,
kgresh@mpadlaw.com;djamison@mpadlaw.com;lwood@mpadlaw.com;cgetz@mpadlaw.com
Daniel L Reinganum on behalf of Plaintiff Vanessa C Puriefoy dreinganum@MPADLaw.com,
kgresh@mpadlaw.com;djamison@mpadlaw.com;lwood@mpadlaw.com;cgetz@mpadlaw.com
Daniel L Reinganum on behalf of Debtor Carson C Puriefoy, Jr. dreinganum@MPADLaw.com,
kgresh@mpadlaw.com;djamison@mpadlaw.com;lwood@mpadlaw.com;cgetz@mpadlaw.com
Denise E. Carlon on behalf of Creditor MidFirst Bank dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,
summarymail@standingtrustee.com
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com

TOTAL: 7